

S/N 09/846.857

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Christopher K. Morzano

Examiner: Phirin Sam

Serial No.: 09/846,857

Group Art Unit: 2661

Filed: May 1, 2001

Docket: 303.024US4

Title: HIGH SPEED PROGRAMMABLE COUNTER

TERMINAL DISCLAIMER

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

I, Daniel J. Kluth, am the attorney of record for the above identified patent application as evidenced by the Power of Attorney filed in the present application on May 1, 2001. I am making this petition on behalf of Micron Technology, Inc., the assignee of the present invention. As the attorney of record, I am empowered to act on behalf of the assignee and, in accordance with 37 C.F.R. § 1.321(b)(iv), to sign this terminal disclaimer.

Certificate Under 37 C.F.R. § 3.73(b)

Your petitioner, Micron Technology, Inc., certifies that they are the owner of the entire right, title and interest in and to the above-identified patent application (Serial No. 09/846,857) and to U.S. Patent No. 6,226,295. Your petitioner owns the entire right, title, and interest of these applications by nature of the assignments executed and filed for both of these applications. The assignment for U.S. Patent No. 6,226,295 and the present application was recorded on September 28, 1995 on Reel 7705, Frames 0662 - 0664, with the United States Patent and Trademark Office in U.S. Patent No. 5,666,390. The above-identified patent application (Serial No. 09/846,857) and U.S. Patent No. 6,226,295 are divisionals of U.S. Patent No. 5,666,390.

The undersigned representative of the assignee has reviewed the evidentiary documents of title and certifies that to the best of assignee's knowledge and belief, title is in the assignee, Micron Technology, Inc., seeking to take the action set forth in this disclaimer.

Terminal Disclaimer

Your petitioner hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the above-identified patent application, which would extend beyond the expiration date of the full statutory term, as presently shortened by any terminal disclaimers, of U.S. Patent No. 5666390. Petitioner hereby agrees that any patent so granted on the above-identified application shall be enforceable only for and during such period that the legal title to U.S. Patent No. 5666390 and the legal title of the above-identified

application and any patent granted thereon remain common, this agreement to run with any patent granted on the above-identified application and to be binding upon the grantee, its successors and assigns.

Limitations on the Disclaimer

Your petitioner does not disclaim any terminal part of any patent granted on the above-identified application prior to the expiration date of the full statutory term as presently shortened by any terminal disclaimer of U.S. Patent No. 5666390 in the event that it later expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. § 1.321(a), is reissued, has all claims canceled by a reexamination certificate, or is otherwise terminated prior to the expiration date of its statutory term as presently shortened by any terminal disclaimer, except for the separation of legal title as stated hereinabove.

Fee Status

Please charge Deposit Account No. 19-0743 in the amount of \$130.00, which is required under 37 C.F.R. § 1.20(d) to file a statutory disclaimer.

Respectfully submitted,

CHRISTOPHER K. MORZANO

By his Representatives,

SCHWEGMAN, LUNDBERG, WOESSNER & KLUTH, P.A.  
P.O. Box 2938  
Minneapolis, MN 55402  
(612) 373-6904

Date Feb. 22, 2005

By

Daniel J. Kluth  
Daniel J. Kluth  
Reg. No. 32,146

I hereby certify that this paper is being transmitted by facsimile to the U.S. Patent and Trademark Office on the date shown below.

Daniel J. Kluth  
Daniel J. Kluth

Feb. 22, 2005  
Date of Transmission